

December 19, 2001

HELLER EHRMAN WHITE & MCAULIFFE LLP
INTELLECTUAL PROPERTY DEPARTMENT
101 ORCHARD RIDGE DR., SUITE 300
GAITHERSBURG, MD 20878-1917
telephone 301-721-6100
facsimile 301-721-6299

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket Number: 38599.0015

First Named Inventor: James D. Thacker

Title: Methods for the Rapid Detection of Actively Respiring Microorganisms

TO: BOX PATENT APPLICATION
Commissioner for Patents
Washington, D.C. 20231

Sir:

Attached are the following for filing with the U.S. Patent and Trademark Office:

1. ☒ Fee Transmittal Form (original and duplicate)
2. ☒ Specification - Total Pages: 22 (Including Abstract)

CLAIMS AS FILED						
	Claims Filed	Basic Fee Claims	Extra	Rate		Amount
				Large Entity	Small Entity	
Total Claims	20	20	0	\$ 18.00	\$ 9.00	\$ 0.00
Independent Claims	3	3	0	\$ 84.00	\$ 42.00	\$ 0.00
First Presentation of Multiple Dependent Claims				\$ 280.00	\$ 140.00	\$ 0.00
BASIC FEE				\$ 740.00	\$ 370.00	\$ 370.00
TOTAL FILING FEE						\$ 370.00

3. ☒ Drawings - Total Sheets: 4 (Fig(s). 1-4)
4. Oath or Declaration - Total Pages: 2
 - a. ☐ Newly executed (original or copy)
☐ New (unexecuted)
 - b. ☒ Copy from a prior application
(for continuation/divisional with Box 17 completed)

11036 U.S. PTO
10/020923
12/19/01

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- i. ☐ **DELETION OF INVENTOR(s):**
Signed statement attached deleting inventor(s) named in prior application.
5. ☒ **Incorporation By Reference (useable if Box 4b is marked)**
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ **Microfiche Computer Program (Appendix)**
7. ☐ **Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)**
- a. ☐ **Computer Readable Copy**
- b. ☐ **Paper Copy (identical to computer copy)**
- c. ☐ **Statement verifying identity of above copies**
8. ☐ **Assignment and Assignment Recordation Form**
9. ☐ **37 C.F.R. 3.73(b) Statement** ☐ **Power of Attorney**
10. ☐ **English Translation Document (if applicable)**
11. ☒ **Information Disclosure Statement with PTO-1449 and References**
- ☒ **Copies of Information Disclosure Statement Citations**
12. ☒ **Preliminary Amendment**
13. ☒ **Return Receipt Postcard**
14. ☒ **Small Entity Status Claimed:** ☐ **Independent Inventor**
☒ **Small Business Concern**
☐ **Non-Profit Organization**
15. ☐ **Foreign Priority is Claimed as Follows:**

- ☐ **If Foreign Priority is Claimed, Certified Copy of the Above Priority Document(s) is Submitted Herewith**
16. ☐ **Other:** _____

10020923-121901

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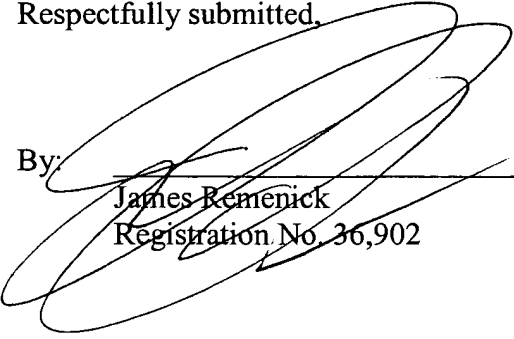
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17. ☐ Continuation ☒ Divisional ☐ Continuation-in-Part of
Prior Application No.: 09/148,491 filed September 4, 1998
- ☒ Complete Application Based on Provisional Application No.: 60/057,657
filed September 5, 1997
18. ☒ A new power of attorney or authorization of agent (PTO/SB/81) is as follows:
- ☒ The power of attorney is to: James Remenick, Registration No. 36,902; Paul Booth, Registration No. 40,244; Colin G. Sandercock, Registration No. 31,298; Patricia D. Granados, Registration No. 33,683; John P. Isacson, Registration No. 33,715; Ronald J. Kamis, Registration No. 41,104; Marvin A. Motsenbocker, Registration No. 36,614; Susan E. McBee, Registration No. 39,294; Joe Puttlitz, Registration No. 45,279; and Stephen Yoder P-48,815.
19. Please address all correspondence to:
- ☒ **CUSTOMER NUMBER** 30082
- ☒ **James Remenick**
Intellectual Property Department
Heller Ehrman White & McAuliffe LLP
Suite 300
Gaithersburg, MD 20878-1917
20. ☐ A check in the amount of \$ _____ is enclosed. In the event any variance exists between the amount enclosed and the Patent Office charges, please charge or credit any such variance to **Deposit Account No. 08-1641**.
- ☒ The Commissioner is hereby authorized to charge the filing fee and any additional fees to **Deposit Account No. 08-1641**.

Respectfully submitted,

By:


James Remenick
Registration No. 36,902

JR/krm
Enclosures

1002093-124901